

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Fairfield Sentry Limited, et al.,

Debtors in Foreign Proceedings.

Chapter 15 Case

Case No. 10-13164 (BRL)

Jointly Administered

**Fairfield Sentry Limited (In Official Liquidation),
acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

Adv. Pro. No. 10-03633 (BRL)

HSBC Private Bank (Suisse) SA and Beneficial Owners of the Accounts Held in the Name of HSBC Private Bank (Suisse) SA 1-1000,

Defendants.

**Fairfield Sentry Limited (In Official Liquidation),
acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

Adv. Pro. No. 10-03630 (BRL)

**HSBC Securities Services (Luxembourg) SA and
Beneficial Owners of the Accounts Held in the
Name of HSBC Securities Services
(Luxembourg) SA,**

Defendants.

**Fairfield Sentry Limited (In Official Liquidation),
acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

**FS/HSBC Private Banking Nom and
Beneficial Owners of the Accounts Held in the
Name of FS/HSBC Private Banking
Nom 1-1000,**

Defendants.

Adv. Pro. No. 10-03629 (BRL)

**Fairfield Sentry Limited, et al. (In Official
Liquidation), acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

**Robinson & Co. and Beneficial Owners of the
Accounts Held in the Name of Robinson
& Co. 1-1000,**

Defendants.

Adv. Pro. No. 10-03628 (BRL)

**Fairfield Sentry Limited, et al. (In Official
Liquidation), acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

**HSBC Private Bank (Guernsey) LTD and
Beneficial Owners of the Accounts Held in the
Name of HSBC Private Bank
(Guernsey) LTD 1-1000,**

Defendants.

Adv. Pro. No. 10-03631 (BRL)

**Fairfield Sentry Limited, et al. (In Official
Liquidation), acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

**Caceis Bank Luxembourg and Beneficial
Owners of the Accounts Held in the Name of
Caceis Bank Luxembourg 1-1000,**

Defendants.

Adv. Pro. No. 10-03624 (BRL)

**Fairfield Sentry Limited (In Official Liquidation),
acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

**Citibank NA London and Beneficial Owners of
the Accounts Held in the Name of
Citibank NA London 1-1000,**

Defendants.

Adv. Pro. No. 10-03622 (BRL)

**Fairfield Sentry Limited, et al. (In Official
Liquidation), acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

**Citibank (Switzerland) Zurich, Citibank
Switzerland (AG), Beneficial Owners of the
Accounts Held in the Name of Citibank
(Switzerland) Zurich 1-1000, and Beneficial
Owners of the Accounts Held in the Name of
Citibank Switzerland (AG),**

Defendants.

Adv. Pro. No.

**Fairfield Sentry Limited (In Official Liquidation),
acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

**Zurich Capital Markets Company and
Beneficial Owners of the Accounts Held in the
Name of Zurich Capital Markets
Company 1-1000, et al.,**

Defendants.

Adv. Pro. No. 10-03634 (BRL)

**Fairfield Sentry Limited, et al. (In Official
Liquidation), acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

**BNP Paribas Securities Services
Luxembourg and Beneficial Owners of the
Accounts Held in the Name of BNP Paribas
Securities Services Luxembourg 1-1000,**

Defendants.

Adv. Pro. No. 10-03627 (BRL)

**Fairfield Sentry Limited (In Official Liquidation),
acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

**BNP Paribas Luxembourg SA and
Beneficial Owners of the Accounts Held in the
Name of BNP Paribas Luxembourg SA
1-1000,**

Defendants.

Adv. Pro. No. 10-03626 (BRL)

**Fairfield Sentry Limited, et al. (In Official
Liquidation), acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

ABN AMRO Schweiz AG, et al.,

Defendants.

Adv. Pro. No. 10-03636 (BRL)

**Fairfield Sentry Limited (In Official Liquidation),
acting by and through the
Foreign Representatives thereof,**

Plaintiffs,

-against-

ABN AMRO Schweiz AG, et al.,

Defendants.

Adv. Pro. No. 10-03635 (BRL)

**DECLARATION OF CHARLES J. KEELEY, III, IN SUPPORT OF MOVING
DEFENDANTS' MOTION TO WITHDRAW THE REFERENCE OF THE ABOVE-
CAPTIONED ACTIONS TO THE BANKRUPTCY COURT**

I, Charles J. Keeley, III, declare as follows:

1. I am a member of the bar of this Court and an associate at Cleary Gottlieb Steen & Hamilton LLP, counsel for the defendants listed below (the "Moving Defendants") in the above-captioned actions (the "Actions"). I respectfully submit this declaration in support of Moving Defendants' Motion to Withdraw the Reference of the Actions to the Bankruptcy Court (the "Motion").

2. Annexed hereto, at the number tabs indicated, are true and correct copies of the following documents referred to in the Memorandum In Support of the Motion:

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|------------------|--|
| Exhibit 1 | Summons with Notice, <i>Fairfield Sentry Limited et al. v. HSBC Private Banke (Suisse) SA et al.</i> , No. 650279/2010 (N.Y. Sup. Ct. Apr. 19, 2010) (Docket No. 1) |
| Exhibit 2 | Notice, Claim No.: BVIHC (COM) 405/2009 Between Fairfield Sentry Limited and Banco General SA/Banca Privada et al. |
| Exhibit 3 | Minute Order Granting Chapter 15 Petitions of Fairfield Sentry Limited, Fairfield Sigma Limited and Fairfield Lambda Limited for Recognition of Foreign Proceedings, <i>In re Fairfield Sentry Limited, et al.</i> , No. 10- |

- 13164 (BRL) (Bankr. S.D.N.Y. July 22, 2010) (Docket No. 47)
- Exhibit 4** Order, *Fairfield Sentry Ltd. v. Safra National Bank of New York*, No. 10-cv-6376 (BSJ) (S.D.N.Y. Sept. 15, 2010) (Docket No. 13)
- Exhibit 5** Notice of Removal, *Fairfield Sentry Limited et al. v. HSBC Private Bank (Suisse) SA et al.*, No. 10-cv-06602 (S.D.N.Y. Sept. 3, 2010) (Docket No. 1) (exhibits omitted)
- Exhibit 6** Letter of Evan A. Davis to Hon. George B. Daniels, U.S.D.J., dated Sept. 15, 2010 ("Davis Letter")
- Exhibit 7** Letter of Kerry L. Quinn to Hon. George B. Daniels, U.S.D.J., dated September 16, 2010 ("Quinn Letter") (exhibit omitted)
- Exhibit 8** Duplicate Original Order Referring Case to Bankruptcy Court as related to Bankruptcy Court Case No. 10-13164 (BRL), *Fairfield Sentry Limited et al. v. HSBC Private Bank (Suisse) SA et al.*, No. 10-cv-06602 (S.D.N.Y. entered Sept. 16, 2010) (Docket No. 4)
- Exhibit 9** Form Subscription Agreement appended to Confidential Private Placement Memorandum dated July 1, 2003, Amended Compl. Ex. 6, *Anwar v. Fairfield Greenwich Limited*, No. 09-cv-118 (VM) (S.D.N.Y. filed Apr. 24, 2009)).
- Exhibit 10** Amended Complaint, *Picard v. Fairfield Sentry Ltd., et al.*, No. 09-1239 (BRL) (Bankr. S.D.N.Y. filed July 20, 2010) (Docket No. 23) (excerpted)

3. There has been no prior application for the relief requested herein.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 20, 2010, at New York, New York.



Charles J. Keeley, III